

CHRISTIAN EMPEROR, VESTAL VIRGINS AND PRIESTLY COLLEGES: RECONSIDERING THE END OF ROMAN PAGANISM*

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L'empereur chrétien, les Vestales et les collèges sacerdotaux : retour sur la fin du paganisme romain

Les mesures prises par Gratien contre le paganisme en 382 nous sont connues essentiellement par la Relatio III de Q. Aurelius Symmachus et par les Epistulae 72 et 73 d'Ambroise de Milan, que la tradition historiographique a versées au dossier de l'affaire de l'autel de la Victoire. La présente contribution examine ces textes en discutant la nature des décisions qui s'y trouvent décrites. Celles-ci ne furent pas dirigées – comme on le pense généralement – contre tous les sacerdoces païens de Rome, pas plus qu'ils ne provoquèrent la réquisition de tous les fundi templorum, mais bien plutôt renouvelèrent l'ordre d'enlever l'autel de la Victoire de la curie sénatoriale et concernèrent certains des privilèges propres aux Vestales, tels que le stipendium, l'exemption des munera, les annonae et le droit de ce collègue à hériter, à l'avenir, d'agri. [Auteur, trad. J.-M. C.]

The terminal decline of official paganism, according to a well-established scholarly tradition, took place in a short lapse of time in the last two decades of the 4th century. Several measures by the western emperor Gratian, in particular, are believed to have marked a decisive stage in stripping civic cults of their legitimacy: Gratian renounced the title of *pontifex maximus*; he had the Altar of Victory removed from the senate-house; he blocked funding for public sacrifices;

he abolished the fiscal immunities previously enjoyed by the Vestals and the priestly colleges; he confiscated the *fundi*, the landed property, of temples. By this combination of symbolic gestures and more concrete legal measures, the young ruler has been credited with completely undermining the religious system of ancient Rome. His interventions in the religious arena, therefore, have seemed to open the door to the final stage in the religious evolution which had begun with the conversion of Constantine and which would end with the proclamation by Theodosius I of Nicene Christianity as the sole 'licensed religion', *religio licita*, in the whole empire¹.

Despite the important consequences which have been attributed to them, Gratian's measures have never been discussed with attention to their contents. They have been included instead as part of the 'Affair of the Altar of Victory',

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Abbreviations: – **Bodei Giglioni**, 'Pecunia fanatica' = L. Bodei Giglioni, 'Pecunia fanatica'. *L'incidenza economica dei templi laziali*, in *Rivista Storica Italiana*, 89, 1977, p. 33-76. – **DEAR** = E. De Ruggiero, *Dizionario epigrafico di Antichità romane*, Roma, 1886 sgg. – **Delmaire, Largesses** = R. Delmaire, *Largesses sacrées et res privata. L'aerarium impérial et son administration du IV^e au VI^e siècle*, Rome, 1989 (CEFR, 121). – **Delmaire, Code** = R. Delmaire, *Les lois religieuses des empereurs romains de Constantin à Théodose II (312-438). I. Code Théodosien Livre XVI*, Paris, 2005 (SC 497). – **Goddard, The evolution** = C. J. Goddard, *The evolution*

of pagan sanctuaries in Late Antique Italy (fourth-sixth centuries A.D.): a new administrative and legal framework. A paradox, in M. Ghilardi, C. J. Goddard, P. Porena (eds.), *Les cités de l'Italie tardo-antique (IV^e-VI^e siècle). Institutions, économie, société, culture et religion*, Rome, 2006 (CEFR, 369), pp. 281-308. – **Liebeschuetz, Ambrose** = J. H. W. G. Liebeschuetz, C. Hill, *Ambrose of Milan. Political Letters and Speeches* (Translated with an introduction and notes), Liverpool, 2005. – **Vera, Commento** = D. Vera, *Commento storico alle Relationes di Quinto Aurelio Simmaco*, Pisa, 1981.

1. A recent example of the main ideas of this scholarly tradition is given by Liebeschuetz, *Ambrose*, pp. 13-14 and 61.

the famous controversy between the Roman senator Quintus Aurelius Symmachus and the bishop Ambrose of Milan which took place in 384, a year after Gratian's death, and which many scholars have regarded as a landmark event in the decline of the ancient world. Every major work of the 20th century, which explored relations between paganism and Christianity in late antiquity, concentrated on the effects of Gratian's acts rather than their content. This is true of French scholarship², of Germanic³, and of Italian⁴, as well as British/American⁵. In this, apparently, they continued a tradition which had developed in the 19th century by G. Boissier, who gave a 'generalized' interpretation to Gratian's activities⁶.

Given so uniform a scholarly tradition on the approach that Gratian took to religious politics in the last years of his reign, why should we re-examine the question? Well, there are in fact several reasons. Firstly, the tendency to accept these measures as a given has recently led to some careless statements by historians. For example, it has become usual to include among the measures taken by Gratian in 382 a general confiscation of *fundi templorum*, because a law from 415, preserved in the Theodosian Code, seems to offer points of contact with the *Third Relatio* of Symmachus and with the letters of Ambrose that are related thereto⁷. Although there is

no certainty whatever that the constitution of Gratian which is referred to in this law is identical with the measures of 382, some scholars have maintained that these measures provided for the wholesale confiscation of the temples themselves, with the result that the temple buildings decayed into ruin from that time onwards⁸. In the same way, very recently too some scholars have presented the annulment of fiscal privileges and imperial subventions as a measure which affected "the priests of Rome, among them the Vestals". But this means accepting the words of Ambrose, who here inverted the order of Symmachus's sentence. He actually speaks not of priests but only of "*virgines Vestales et ministri*": and ministers, as we shall see, are probably not the priests themselves⁹.

But there is a much more important reason for us to return to the ancient sources than merely correcting careless overstatements. Some recent studies on the spread of Christianity in the Roman empire have insisted that the old model of conflict between the 'last' pagans of Rome, the stubborn guardians of their ancestral cults, and the arrogantly aggressive Christians of the Theodosian generation – the model which has furnished the basis for almost all interpretations of the second half of the 20th century – is now out of date¹⁰. When we take account of these new perspectives, a revision of the true significance of Gratian's measures against the pagan religious colleges would seem to be in order.

However, we face a problem. The sources which record the provisions against paganism taken by Gratian in the last year of his reign are few and unreliable. For the renunciation of the title of *Pontifex Maximus* we must rely

2. Let notice, please, the ideal links between J.-R. Palanque, *Saint Ambroise et l'Empire romain. Contribution à l'histoire des rapports de l'Église et de l'État à la fin du quatrième siècle*, Paris, 1933, pp. 117 and 510; A. Piganiol, *L'Empire chrétien* (325-395), Paris, 1972², p. 250 and A. Chastagnol, *La préfecture urbaine à Rome sous le Bas-Empire*, Paris, 1960, pp. 157-160. The title *La séparation du paganisme et de l'État* of the chapter where Chastagnol summarizes his ideas about the Gratian's measures, for instance, echoes the title *La séparation entre l'État et le paganisme* used by Piganiol.
3. H. von Campenhausen *Ambrosius von Mailand als Kirchenpolitiker*, Berlin, 1929, p. 167ff.; 170-184, followed by A. Alföldi, *Die Kontorniaten. Ein Verkanntes Propagandamittel der Stadt Römischen Heidnischen Aristokratie in ihrem Kampfe gegen das christliche Kaisertum*, Budapest-Leipzig, 1943, pp. 48-84, who studied the different series of the coins as a reaction to the religious policy of the emperors. The fourth chapter of the book is reprinted unchanged in A. and E. Alföldi, *Die Kontorniaten-Medaillons*, II, Berlin-New York, 1990, pp. 25-63, but some fresh reflections on the subject (next to some new items of bibliography) are in A. Cameron, *Forschungen zum Thema der "heidnischen Reaktion" in der Literatur seit 1943*, in *ibidem*, pp. 63-74. See also the commentary of R. Klein, *Der Streit um den Victoriaaltar. Die dritte Relatio des Symmachus und die Briefe 17, 18 und 57 des Mailänder Bischofs Ambrosius. Einführung, Text, Uebersetzung und Erläuterungen*, Darmstadt (Texte zu Forschung., 7), 1972; K. Rosen, *Fides contra dissimulationem. Ambrosius und Symmachus im Kampf um den Victoriaaltar*, in *JbAC*, 37, 1994, pp. 29-34.
4. A. Paredi, *Sant' Ambrogio e la sua età*, Milano 1960², pp. 285-286; 303, about which see L. Cracco Ruggini, *Rec. a A. Paredi, Sant' Ambrogio e la sua età*, in *Athenaeum*, 40, 1962, pp. 409-417; Eadem, *Ambrogio e le opposizioni anticattoliche fra il 383 e il 390*, in *Augustinianum*, 14, 1974, pp. 409-449; S. Mazzarino, *Il basso impero. Antico, tardoantico ed età costantiniana*, I-II, Roma-Bari, 1974, I, pp. 339-373; Vera, *Commento*, pp. 12-23.
5. H. Dudden, *Life and Times of Saint Ambrose*, I, Oxford, 1935, pp. 241-269, specially p. 258, reflected by H. Bloch, *A new document of the Last Pagan Revival in the West*, in *Harvard Theological Review*, 38, 1945, pp. 199-244, specially p. 203 ff.; and now W. Evenpoel, *Ambrose vs. Symmachus: Christians and Pagans in A.D. 384*, in *Ancient Society*, 29, 1998-1999, pp. 283-306.
6. G. Boissier *La fin du paganisme. Étude sur les dernières luttes religieuses en Occident au IV^e siècle*, Paris, 1891, pp. 300-303.
7. *CTH*, XVI, 10, 20, 1, has been put in comparison with *Symm.*, *Rel.* III, 13 and *Ambr.*, *Ep.* 73 (18 Maur.), 16, but on this topic see *ultra*, p. 258.

8. Recently, for example, P. Pensabene, *Monumenti di Roma tra continuità e perdita di funzione: trasformazione urbana e reimpiego in età tardo-antica*, in *Mediterraneo antico* 2, 1999, pp. 749-776, especially pp. 753-754, influenced by Chastagnol's incorrect perspective that in 382 pagan temples lost their status as public monuments, which was transferred to Christian churches: A. Chastagnol, *Sur quelques documents relatifs à la basilique de Saint-Paul-hors-les-Murs*, in *Mélanges d'archéologie offerts à André Piganiol*, Paris, I, 1966, pp. 421-437, specially pp. 436-437, and *Id.*, *La restauration du temple d'Isis au Portus Romae sous le règne de Gratien*, in *Homages to Marcel Renard*, Bruxelles (Latomus, 102), 1969, II, pp. 135-144, specially pp. 142-143. Nevertheless, J.-R. Palanque, *Saint Ambroise, cit.* (n. 2), p. 117, already suggested that the confiscation that law ordered concerned the *fundi*, non the temples; see also, in the same directions, Vera, *Commento*, p. 16.
9. Liebeschuetz, *Ambrose*, p. 61, even if at p. 85, n. 2, he admits: "I have often kept this as 'ministers', they are obviously humbler religious functionaries than the *sacerdotes*. On this topic too, see *ultra*, p. 256 ff, n. 44.
10. The word "conflict" was still in the title of the famous, little, book of Arnaldo Momigliano (*The Conflict between Paganism and Christianity in the Fourth Century*, Oxford 1963), even if most of its essays conceived the relations between pagans and Christians not as a fight, but like the results of many exchanges. Already P. Brown, in reviewing the volume (in *Oxford Magazine*, on 16th May 1963, now in *Religion and Society in the Age of Saint Augustine*, London, 1972, pp. 147-150) was able to speak of religious transition and transformations, "even if some of the Roman Pagans described by Bloch, didn't avoid a large measure of appeasement, even of collusion" (*ibidem*, p. 150): cfr. A. Fraschetti, *Trent'anni dopo: 'Il conflitto fra paganesimo e cristianesimo nel secolo IV*, in F. E. Consolino (a c. di), *Pagani e cristiani da Giuliano l'Apostata al sacco di Roma*, Soveria Mannelli, 1995, pp. 5-14.

on a single reference in Zosimus¹¹; moreover, Alan Cameron has recently injected a dose of healthy scepticism into the traditional interpretation of this very famous passage¹². No less problematic are the testimonies to the other anti-pagan provisions of Gratian, those which are described generically by modern scholars as the withdrawal of funding from the public cults, from the priestly colleges, and from the temples. Gratian's actual enactments on this issue have not survived, and they are known to us only indirectly, above all through a triptych of documents which Ambrose of Milan, who was involved in the affair, thought fit to preserve as a dossier in the 10th book of his correspondence: the *Third Relatio* of Q. Aurelius Symmachus (letter 72a in Ambrose's collection), which is preceded by Ambrose's letter 72, which he claims to have composed before he had read Symmachus' text, and followed by Letter 73, which was written with a copy of the *Relatio* in hand¹³. A summary of the same episode, and of subsequent senatorial embassies which the bishop presents as the aftermaths of the first, is contained in a letter written by Ambrose in 394 to the usurper Eugenius, preserved outside the letter collection and in some passages of Ambrose's speech (392) on the death of Valentinian II¹⁴.

These texts present several difficulties for historians who are trying to reconstruct the issues behind the controversy. The most important is that both Ambrose and Symmachus, for different reasons, tend to emphasize contingent situations and to invest these with absolute meanings. Both thus encourage that 'generalizing' interpretation which has governed the exegesis of the *Third Relatio* and the two letters for the past century and more. The story of the transmission of these texts, however, allows us to attribute a different degree of reliability to each. The *Third Relatio* of Symmachus possesses also a separate manuscript tradition, in the *corpus* of official communications from Symmachus, as urban prefect, to the emperor; but according to the currently prevailing hypothesis, it was not Symmachus himself who prepared these for publication but an anonymous sixth-century editor¹⁵. He himself, therefore, did not retouch the document.

Ambrose asserts that his first letter is independent of the *Relatio*. According to him, he had had only oral information, which was uncertain even about the place and author of the request; he had known that an initiative had been taken either in the senate or in the consistory, to convince Valentinian II

to issue a decree in favour of the pagans. Lacking the time to organize a general counter-petition, which all the bishops would have signed¹⁶, he had written to put the young prince on his guard about the moral significance and the political consequences which his assent to these requests would have had¹⁷. The tone is that of someone who claims not to know absolutely either the author of the petition or its exact contents; he therefore asks the consistory for a copy of it, so that he can reply with greater thoroughness¹⁸.

Even a rapid reading of Letter 72 and the *Third Relatio* in conjunction, however, reveals that already in this first letter Ambrose was well informed about the themes developed by Symmachus and that even the prefect was not wholly ignorant of what the bishop had written to the consistory. We see this in the use of the term *dissimulatio*, which Symmachus distorts into a positive sense, to indicate the tolerant attitude towards paganism taken by all emperors from Constantine to Gratian, whereas Ambrose exhorts Valentinian II to liberate himself from every form of *dissimulatio* because this was nothing less than culpable *coniventia* with the cult of demons¹⁹. The idea that the altar of the *curia* would favour concord between those who swore on it is discussed by Ambrose on the pattern established by Symmachus²⁰. There is an admittedly cursory, but still [explicit], reference in Ambrose's letter to the privileges requested by the Vestals, which the Virgins of God had never had: a theme on which Symmachus dwelt at length and over which Ambrose preferred to reserve full treatment for his second letter to Valentinian II, perhaps so as not to give the lie to his professed ignorance of the *Relatio*²¹. In the same way, when Ambrose asked the emperor to take note that the pagans wanted to limit his freedom to reject proposals of which he did not approve, he was there exploiting the appeal that Symmachus had made to the constraints which ancestral tradition imposed upon every sovereign²². Finally, the two famous speeches which, at the end of his letter, the bishop imagines Gratian and Valentinian I respectively addressing to Valentinian II, deal chiasmatically with the considerations attributed by Symmachus to the father and brother of the young prince, and which provide an epilogue to the *Relatio* also²³. The points of contact between the two texts noted here are more than light retouchings, made when reviewing the letter prior to publication; they are such as to exclude the possibility

11. Zos., IV, 36, 1-5 (éd. F. Paschoud, Paris, 1979, pp. 301-302).

12. A. Cameron, *The Imperial Pontifex*, in *Harvard Studies in Classical Philology*, 103, 2007, p. 341-384.

13. All these texts have recently been freshly translated into English by Liebeschuetz, *Ambrose*, pp. 61-63; 69-70; 78-80, with useful introductions to each and to the nature of Book 10 (*ibid.*, pp. 36-46).

14. Ambr., *Ep. Extra coll.* 10 (Maur. 57); Liebeschuetz, *Ambrose*, pp. 255-261. On Ambrose's political strategy toward Eugenius, as it is reflected by this letter, see N. McLynn, *Ambrose of Milan. Church and Court in a Christian Capital*, Berkeley-Los Angeles, 1994, pp. 341-347; 350. Cfr. also Ambr., *De obitu Val.* 19-20.

15. D. Vera, *Sulle edizioni antiche delle 'Relationes' di Simmaco*, in *Latomus*, 36, 1977, pp. 1003-1036; Vera, *Commento*, pp. XCI-XCV.

16. Ambr., *Ep.* 72 (Maur. 17), 10.

17. Ambr., *Ep.* 72 (Maur. 17), 13.

18. Ambr., *Ep.* 72 (Maur. 17), 13; cf. Ambr., *Ep.* 73 (Maur. 18), 1: *poposci tamen exemplum mihi relationis dari*.

19. Symm., *Rel.* III, 3; Ambr., *Ep.* 72 (Maur. 17), 2.

20. Ambr., *Ep.* 72 (Maur. 17), 9; Symm., *Rel.* III, 5.

21. The subject is largely treated in several places of Symm., *Rel.* III (7; 10; 11; 13; 15); it is present only once in Ambrose's first Letter (*Ep.* 72, 14), but in the second it has a full treatment: Ambr., *Ep.* 73 (Maur. 18), 11-12.

22. Ambr., *Ep.* 72 (Maur. 17), 11; Symm., *Rel.* III, 2.

23. Symm., *Rel.* III, 20; Ambr., *Ep.* 72 (Maur. 17), 15 and 16. It is worth to notice that different exhortations are also used chiasmatically: in Symmachus' view, Gratian didn't know that the senate disliked his measures; in Ambrose, it is Valentinian I, who didn't know about the pagan altar in the Roman *curia*.

that when the bishop composed his letter he had only a vague idea of what the petition to the emperor contained.

On the other hand, many passages in the *Third Relatio* seem to presuppose some awareness of the first letter of Ambrose. Symmachus opens the discussion by underlining that *senatus amplissimus* had voted for the sending of his petition. Even if the predicative adjective *amplissimus* had already in the late Republic acquired a figurative meaning as “very much illustrious and famous”, proper of men with a new important appointment, nevertheless it maintained its proper quantitative sense too²⁴. Considering what the orator says afterward, assuring that contrasts divided the Senate no more, we could believe that *senatus amplissimus* does mean here “the clear majority of the senate”, as if knowing that Ambrose was once again maintaining in his first letter, as he had two years previously, that it was not the whole assembly that had expressed its approval of an annulment of the measures of Gratian, but a few pagans²⁵. Mention has already been made of the use of *dissimulatio* in the two texts. Furthermore, Symmachus also seems aware that Ambrose in that first letter was threatening to excommunicate Valentinian II if he complied with the requests of the pagans: the prefect thus tries to persuade the emperor not to allow himself to be influenced by ‘empty threats’²⁶.

We cannot know what sort of exchanges might have taken place between bishop and prefect at the moment when their documents were sent to the court. Various scenarios are possible, depending on whether we imagine the episode as originating from an open conflict between the two authors, as well as their two groups of supporters, or from their simply doing their duty, in which case the etiquette that regulated their dealings with each other as members of the same social class would not be affected. On the former view we can think of leaks of information, or copies stolen from the court archives in order to amend texts which had already been written, in order to make them more effective in the discussion; on the latter we might suppose a friendly exchange of drafts between the two authors, when each was still working towards the final version which would be sent to the officials of the court. Whatever the case, however, it is clear that neither Symmachus, nor Ambrose provide totally reliable testimonies.

Nevertheless, the value of their texts is very different for any reconstruction of Gratian’s measures. If we take the approach of reading the *Third Relatio* and the two Ambrose’s letters in the context of an ideal debate between Symmachus and Ambrose, that is exactly as Ambrose wanted those texts to be read, we are led to take an incorrect perspective. We will forget that Ambrose’s letters, as well as his funerary oration on Valentinian II, were rhetorical pieces where the bishop selected what it seemed more convenient to say or not,

which topics to remind to the emperors and the Court, which formulations – sometimes very much generic, sometimes more precise – to use in order to achieve specific goals: these also changed in the letters he wrote in different periods and in the funerary oration. On the contrary, the *Third Relatio* was an official document, which the Urban Prefect wrote by the Senate’s appointment, with the sole purpose of obtaining the re-establishment of those pagan privileges Gratian’s measures had suppressed: or, at least, of those privileges the Senate wished to see re-established. What he asked to restore, had to be exactly what Gratian had canceled. In this sense, only Symmachus’ *Relatio* can provide reliable information as to the subjects of Gratian’s measures. Ambrose’s passages are relevant only with a view to finding out to what extent he manipulated terms and topics in order to obtain more privileges for his Church, while he set about convincing the Emperor to refuse the Senate’s requests. But, when he attributes to Gratian measures that Symmachus does not mention, we cannot but trust the credibility of the Prefect’s text. Since Symmachus had to ask for the restoration of specific rights, he could neither omit any of them, nor be vague about any of them. If we accept this perspective, and use Symmachus as the key, the contents of Gratian’s measures appear very different from what is usually believed to be. Let us now move on to the texts: all this will become much clearer.

The first letter of Ambrose, in particular, poses more questions than can be answered. In relation to Gratian’s measures, which the senatorial initiative sought to have abrogated, Ambrose is anything but explicit or precise. In the course of his letter, the senatorial requests change shape, passing from the generic “erect altars and to provide money for the expenses of impious sacrifices”, or “grant their privileges”, to a more specific “the setting up an altar and the granting of money for impious sacrifices”²⁷. The same imprecise terminology is used, ten years later, in the letter to Eugenius, when the bishop was explaining that he had withdrawn from Milan because of his personal conviction that “whoever granted requests like this [that is, the petition of the pagans] would have seemed to be making a gift to the idols, not granting restitution” (*dare*, not *reddere*)²⁸. In neither the one letter nor the other is the altar ever qualified as that of Victory in the senate-house; there is no precise reference about the financing of sacrifices; everything is left deliberately general.

Very different is apparently the language of Ambrose’s second letter to Valentinian II. Having stated his intention to reply to the Symmachus’ text point by point, now that he had received a copy of it, Ambrose finally indicates the purpose of the request clearly: “Since the most excellent Symmachus, Prefect of the City, has presented a *Relatio* to Your Clemency, that the altar which had been removed from the senate-house

24. *TLI* s. v. *amplus*, c. 2008 and 2011.

25. Ambr., *Ep.* 72 (Maur. 17), 10.

26. Symm., *Rel.* III, 19: *inanem igitur metum divino animo vestro temptat incutere, si quis adserit, conscientiam vos habere praebentium, nisi detrahentium subieritis invidiam*; Ambr., *Ep.* 72 (Maur. 17), 3.

27. Different indications are in following places: Ambr., *Ep.* 72 (Maur. 17), 3; 4; 9.

28. Ambr., *Ep. extra coll.* 10 (Maur. 57), 2, for the pun between *dare* and *reddere*; 6, on what Eugenius did against the true religion.

of the city of Rome should be set up again in its place..."²⁹. As we can see, he does something more: he identifies in the restoration of the altar the principal theme of the prefect's petition. And it is under the heading 'On the Altar of Victory' that the presumed dispute between Ambrose and Symmachus was passed down into the tradition, being already known as such to Paulinus of Milan and Ennodius at the end of the 5th century³⁰.

But this was not, however, the reality. Yes, Symmachus did spend much time on the symbolic values which the altar of the senate-house represented: values which were to be maintained even if Victoria was not believed in as a goddess (*reddatur saltem nomini honor, qui numini denegatus est*)³¹. The altar, according to Symmachus, was apotropaic since it guaranteed protection in the conflicts with barbarians or with any other enemies of Rome³². This was a badge of the devotion to antiquity and tradition which the senate fostered³³; this was where the senate had established and re-established its own corporate identity³⁴. The altar, then, guaranteed political concord between all the senate's members in their allegiance to the dynasty, and assured the empire's unity in the loyalty (*fides*) of its peoples³⁵.

The altar in the senate, however, was not the only theme addressed in Symmachus' text. It is, on the other hand, the only one where the second letter of Ambrose does not use terminology different from that of the *Relatio*. In the other cases, the situation is more complex. As well as requesting the restoration of the altar, in fact, Symmachus also requests the revocation of the annulment of certain fiscal privileges and the reinstatement of certain imperial grants, and appeals to the emperor not to deny the right of receiving *fundi* through inheritance. In the first letter of Ambrose, all this was summarily described as "to provide money for the expenses of impious sacrifices"³⁶. And according to the scholarly consensus that still holds, the measures which Symmachus here sought to reverse struck at all the Roman colleges and/or all the temples.

The language of Symmachus is more specific. The privileges he names first, as having been unexpectedly withdrawn by

Gratian for the benefit of the sacred *aerarium*, the imperial treasury, are those 'prerogatives of the vestal Virgins' which even Constantius II had left unaltered: "What profit did your sacred treasury derive from withdrawing of the privileges of the Vestal Virgins? Are the most generous of emperors withdrawing what even the most niggardly have granted?"³⁷. At issue here is a body of privileges which are listed and clarified in what follows. The first is the *stipendium castitatis* ('This sort of tribute, offered to chastity, is purely honorific')³⁸. This was a privilege which the Vestals had first received, according to Livy, at the time of king Numa when the college was first instituted. It had perhaps been conceived as a *peculium*, to compensate for the loss of their personal patrimony which these young women suffered at the moment when they were consecrated and were excluded from patria *potestas*³⁹. It is sure that only the Vestals (and perhaps the curions and *flamines*) received this sort of tribute, but not the priests of the four major Roman colleges: as their priesthoods were assimilated to a magistrature, they could not receive a public salary⁴⁰.

"That they have immunity from public duties is considered the badge of honour of their priesthood, just as their headbands are an ornament of their heads"⁴¹. The second of the privileges that had been removed from them (*Vestalium virginum praerogativa detracta*) is specified as immunity from *munera*. Far from covering all the priestly colleges of the empire, or even the greater colleges of Rome, the provision involved only the Vestals; as is made clear immediately afterwards, the impact of the cancellation of *vacare muneribus* was felt by *saluti publicae dicata virginitas*: (virginity consecrated to the good of the state). The appeal to the salvific function of the Vestals emphasized the need to restore an immunity which had been conferred, under the ancient religious system, through the belief that the holiness of a perfect officiant would succeed in winning divine benevolence for the protection of the homeland⁴². In this sense, the *sacerdotium damna* mentioned in the following phrases (*fiscus bonorum principum non sacerdotum damnis, sed hostium spoliis augeatur*) refer not to the spoliation or losses of 'the priests', as is commonly translated, but to those

29. Ambr., Ep. 73 (Maur. 18), 1.

30. Paul. Med., Vita Ambr. 26, 1: *directa legatio est sub nomine senatus a Symmacho tunc praefecto urbis de repetenda ara Victoriae et sumptibus caerimoniarum*; Enn., Epigramma factum de epistola domni Ambrosii contra Symmachum de ara Victoriae quando petens cultum ipsius victus est Symmachus (Carm. II, 142, MGH AA VII, 266): *Dicendi palmam Victoria tollit amico, / Transit ad Ambrosium: plus favet ira deae*.

31. Symm., Rel. III, 3.

32. Symm., Rel. III, 3: *Quis ita familiaris est barbaris, ut aram Victoriae non requirat!*

33. Symm., Rel. III, 4: *Consuetudinis amor magnus est*.

34. Symm., Rel. III, 5: *Ubi in leges vestras et verba iurabimus?* In front of that altar, senators swore to be loyal to the Emperor and the *sacramentum publicum* contained an invocation to the god Victory: Svet., Aug. 100, 2; Cal. 15, 5; Tac., Ann. I, 7-8; Cass. Dio, LVII, 3, 2; LIX, 3, 4; 9, 2; HA, Prob. 12, 7; Claud. II, 2: Vera, *Commento*, p. 34.

35. Symm., Rel. III, 5: *illa ara fidem convenit singulorum*. For the *fides* in the Roman political tradition, A. Giardina, *Introduzione*, in A. Giardina (a c. di), *Roma antica*, Roma-Bari, 2000, p. IX ff.

36. Ambr., Ep. 72 (Maur. 17), 3 *ad usus quoque sacrificiorum profanorum praeberet sumptum*.

37. Symm., Rel. III, 7: *nihil ille decerpit sacrarum virginum privilegiis*; cf. 11: *Quanto commodo sacri aerarii vestri Vestalium virginum praerogativa detracta est? Sub largissimis imperatoribus denegetur, quod parcissimi praestiterunt?*

38. Symm., Rel. III, 11: *honor solus est in illo veluti stipendio castitatis*.

39. Liv. I, 20: *Iis (scil. virginibus Vestae) ut adsidue templi antistites essent, stipendium de publico statuit*. Tiberius increased the sum the Vestals were used to have when they became members of the *collegium* to two millions of sesterces: Tac. Ann. 4, 16.

40. DEAR, s. v. *Aedes*, p. 163.

41. Symm., Rel. III, 11.

42. The analogy between the Vestals and the christian Virgins, in relation to the protection their virginity could offer to the homeland, was so strong that Orose (7, 39) imagined a story of an old christian virgin, who during the Gothic invasion at the beginning of 5th century A.D. was able to preserve the *vasa sacra* of S. Peter church, on the well known episode of the Vestals, who in the 4th century B.C. had preserved from the Senons the mysterious *sacra* conserved in the Vesta's *aedes*: A. Frascetti, *Spazi del sacro e spazi della politica*, in *Storia di Roma*, III, Torino, 1993, p. 677 ff.

‘of the priestesses’: the Vestals, in fact, and the Vestals alone, are the only priests to be mentioned so far⁴³.

For the *stipendium* and the fiscal exemption, which are the first two of the *detracta praerogativa* described by Symmachus, there is no room for doubt about the injured party: it is clearly the Vestals. Only the third, then, can have led historians to believe that the provisions were general. “The fisc retains also the lands left to the virgins and to the ministers by the wishes of the dying”⁴⁴. Here there is no mention of temples, nor is there any talk of the *aedes Vestae*, so it seems to me wrong to use this passage, as has usually been done, as proof of a presumed confiscation, if not of the temples, at least of *fundi templorum* by Gratian⁴⁵.

Actually, we do not have any evidence for lands belonging to the temple of Vesta. On several occasions, however, there is mention of the fields, the agricultural lands, and the sacred woods owned in Republican times by the Vestals⁴⁶. All the principal Roman colleges had an *arca*, a treasury – not the common property of the members, but of the college as a legal person – in which were collected the ordinary income (for instance, the sum paid for entrance into the priesthood, or *summa honoraria*, the fees for dining, for going into the temple or to sacrifice) and any extraordinary income (gifts of college dignitaries, subsidies, money paid as fines, occasional handouts), as well as the regular income which came from real estate⁴⁷.

This situation had been maintained by the most ancient temples. While the temples of Latium and Italy, unlike the temple systems of Egypt or Greece, had supported themselves without any landed property, the Roman colleges were so wealthy in this respect that the literary tradition of the early imperial period had attributed to the early kings of Rome a grant of lands and means of sustenance to the colleges, but not to the temples⁴⁸. Although the testimonies are concentrated in the Augustan period, one has the suspicion that a tradition like this would have been born in that period for

propaganda purposes, to appeal by means of such precedents for the restoration of temples and for the considerable grants of lands to the *collegia*, which Augustus took charge of, so as to compensate both temples and colleges for the plundering and losses that they had suffered during the civil wars. It was Augustus, for example, who assigned the Vestals also a part of the *ager Lanuvinus*⁴⁹.

We might ask ourselves if the Vestals administered their *arca collegii* themselves, or if, since they were considered members of the college of *pontifices*, there was no distinction between the assets of the two colleges⁵⁰. In the latter case, when Symmachus brackets Vestals with *ministri* he might be including in this, if not all the priests of Rome, at least the *pontifices*. They could be considered as the *ministri* who Symmachus says were robbed of their capacity to inherit *fundi* together with the Vestals. In reality, the most ancient sources draw distinctions between the assets of the Vestals and those of the *pontifices*⁵¹, and also those of other colleges such as the *augures*⁵².

We have furthermore a piece of evidence which acquires particular significance as being from the same year as the text we are examining. In 384, when the Vestals decided to erect a statue to Vettius Agorius Praetextatus, although they were not able to act without authorization, they discussed the matter autonomously, as a college: *monumentum statuae dicare destinant virgines sacri Vestalis antistites. Consulti pontifices...*⁵³. Although a few other *pontifices* as well as Symmachus were opposed, the statue was erected. A surviving inscription produced by Praetextatus’ wife, Aconia Paulina, makes it clear that the statue had been erected not by the *collegium pontificale* but by Coelia Concordia, the *Vestalis Maxima*. She had wanted it for Praetextatus, *viro clarissimo, omnia singulari dignoque etiam ab huiusmodi virginibus et sacerdotibus coli*: “a man outstanding in everything and worthy to be honoured by virgins and priests of this sort⁵⁴”. The combination in the inscription of the terms, *virginibus et sacerdotibus*, as against Symmachus’ expression *virgines et ministri*, makes the possibility of identifying *pontifices* in the *ministri* of the *Relatio* a remote one.

Still less, however, could the *ministri* of the *Relatio* indicate the *sacerdotes* of the other priestly colleges of Rome. In the ancient sources, *minister* is not strictly equivalent to *sacerdos*. The lemma which Festus dedicates to the institution of the college of the Vestals is significant in this sense: priestesses

43. Symm., *Rel.* III, 12 Cf. Liebeschuetz, *Ambrose*, p. 75: “The exchequer of good emperors ought not to be filled at the expense of priests, but with plunder from enemies!”; and Vera, *Commento*, p. 392: “Le spoglie dei nemici riempiono le casse dei buoni imperatori e non le spoliazioni dei sacerdoti”. For the differences between *aerarium* and *fiscus*, see Delmaire, *Largesses*, pp. 4-13. Symmachus is only apparently inaccurate: since *sacrae largitiones* and *res privata* were both parts of the *fiscus*, this last could indicate also the *aerarium principis* which was part of it.

44. Symm., *Rel.* III, 13: *agros etiam virginibus et ministris deficientium voluntate legatos fiscus retentat*.

45. In this way, instead, among others, Delmaire, *Largesses*, p. 643 and, even in different perspective, Goddard, *The evolution*, pp. 281-308, specially pp. 283-284.

46. Sicul. Flacc., *de cond. agr.* p.162: *collegia sacerdotum itemque virgines habent agros et territoria quaedam determinata et quaedam aliquibus sacris dedicata, in eis etiam lucos, in quibusdam etiam aedes templeque*: cf. Bodei Giglioni, ‘Pecunia fanatica’, p. 41.

47. DEAR, s. v. *collegium* (a c. di J. P. Waltzing, 1961), pp. 340-406; Bodei Giglioni, ‘Pecunia fanatica’, p. 47.

48. For Dionys., II, 7, 4, Romulus was who assigned part of the land to the thirty *curiae*, part to the people, part to the *sacra*; in III, 1, 5, Tullus Hostilius completed that allotment; in the view of Liv. I, 20, 5, and App., *Mith.* 22, 84, instead, it was Numa who realized the division: DEAR, s. v. *Aedes*, p. 11; Bodei Giglioni, ‘Pecunia fanatica’, pp. 40; 43.

49. *Liber coloniarum*, p. 235: *ager eius limitibus Augusteis, pro parte est assignatus militibus veteranis, et pro parte virginum Vestalium lege Augustiana fuit*; cf. Svet., *Aug.* 31.

50. The college of *pontifices* had a very complex structure, including both the Vestals and the *Flamines*: G. J. Szemler, s. v. *pontifex*, in *RE Suppl.* XV, 1978, pp. 331-396; F. Van Haepelen, *Le collège pontifical (IV^e a.C.-IV^e siècle apr. C.)*, Bruxelles, 2002, pp. 80-88.

51. Symm., *Ep.* I, 68 about the *saltus Vaganensis*.

52. Festus, p. 189 L.: *Locus in agro Veienti, quo frui soliti produntur augures Romani*.

53. Symm., *Ep.* II, 36, 2 about which see G. A. Cecconi, *Commento storico al libro II dell’epistolario di Q. Aurelio Simmaco*, Pisa, 2002, pp. 91-92; 120-121; 266-281.

54. *CIL*, VI, 2145 = *ILS*, 1261: G. A. Cecconi, *Commento*, cit. (n. 53), p. 275.

of Vesta, they were also *ministrae* because they performed the sacred rites themselves⁵⁵. The original function of the term *minister*, signifying the specifically cultic aspect of a priest, meant that in the course of late antiquity it was progressively used to indicate the members of the lesser priesthoods⁵⁶, or rather the celebrants of lesser rank, as subordinate religious functionaries⁵⁷. An extensive investigation into the terms *sacerdos*, *minister* and *pontifex*, as used in the legal sources of the third to sixth centuries, shows that *minister* was used in a penal context to indicate the one who had been materially involved in carrying out the crime⁵⁸. In the religious sphere, the distinction between *sacerdotes* and *ministri*, which was typical of the pagan religious colleges, was used by the Christian communities (the orthodox, as well as the heretic), which by *minister* meant those figures associated with the holy, but of inferior or at any rate different rank compared to the priesthood⁵⁹. As for the term *pontifex*, while there is no passage anywhere in which pagan *pontifices* are defined as *ministri*, the inscription placed by Aconia Paulina on the base of the statue dedicated to Coelia Concordia shows that they were defined without qualification as *sacerdotes*⁶⁰.

Therefore, when in 396 Arcadius took steps to cancel the fiscal privileges of all the pagan priests, to ensure that none were forgotten, he took care to list *sacerdotes*, *ministri*, *praefecti*, *hierophantae* *sacrorum* sive *quolibet alio nomine nuncupatur*⁶¹. From the Theodosian Code it would seem that this very decree, issued in 396, was the first to cancel the fiscal privileges for the various categories of pagan priests. The measure, however, was addressed to the Praetorian Prefect of the East and since it was not necessarily received also in the West, the members of the priestly colleges of Rome may not have been affected by it. In the case, however, that it was also valid for Rome, only at the

very end of the 4th century the *privilegia* (which in the decree are simply described as such) of *pontifices*, *augures*, *quindecimviri* and *septemviri epulonum* were really limited. The measure of Gratian, against which Symmachus was appealing, would only have affected the Vestals and some their specific rights. It was an unheard-of measure (as Symmachus said) for itself, even if it was so limited to the Vestals. Nevertheless, it is really difficult to believe that an emperor could direct his rescript against all the official priests of Rome, who were still chosen among the richest nobles of the Roman aristocracy. And, if Gratian had done so, how then could Symmachus forget to claim back their deleted rights too?

Since, according to Symmachus, Gratian had decreed that the fisc should seize the lands which had been left for the Vestals to inherit by private individuals, as if they had been unowned property, we must infer that the right of inheriting real property had been denied to these priestesses, as if they were *legatariae incapaces* – unqualified to receive bequests. Symmachus does not fail to bring out the paradoxical nature of the prohibition⁶². However, if we leave aside the symbolic significance in which he clothes it, the measure was in line with the fiscal policies which Valentinian I had begun to apply to the various groups privileged with exemptions, as the Christian priests⁶³. As a part of this policy that prohibition could be issued, beyond the religious meanings Symmachus and Ambrose wanted to see in it.

What effects the measure might have had on the economic assets of the college of Vesta is less easy to determine. It has been considered a general prohibition, one which prevented any further bequests of landed property in favour of the traditional priesthoods. It has therefore been thought to have suffocated the economy of the temples. This is because of another common belief, that a large part of the economy of the ancestral cults now depended on landed property. In reality, the assumption is hypothetical, based on the idea that the flow of votive offerings to the temples and the colleges – on which their wealth, in Italy at any rate, had always chiefly depended – had been significantly diminished with the progress of Christianization. The principal source of income should then consist of the returns from sacred lands, for the most part in the form of rents. Once deprived of these, their possibility of surviving would have been reduced to a minimum⁶⁴.

Such is the conventional hypothesis. It depends in turn upon another assumption regarding the progress of Christianization among the higher classes and their readiness to support cults different from that favoured by the emperor: the ‘alien’ cults, as Ambrose calls them. The most important donations economically – whether of property or of other goods – must in

55. Fest., 344b, 22: *Sex Vestae sacerdotes constitutae sunt ut populus pro sua quaque parte haberet ministram sacrorum*; cfr. ThLL s. v. *minister*, c. 1000, 23; 38; s. v. *ministra*, c. 1004.

56. CIL, V, 762 = ILS, 3498: *illae magistrae illae ministrae Bonae Deae aedem fecerunt*.

57. A. Ernout, A. Meillet, *Dictionnaire étymologique de la langue latine. Histoire des mots*, Paris 1959⁴, s. v. *minister* and *ministra*, p. 405.

58. The recherche has been conducted through BIA = N. Palazzolo (scientific Director), *Bibliotheca Iuris Antiqui. Sistema informativo integrato sui diritti dell'Antichità*, CD-ROM, Catania 2002², *Fontes*, s. v. *minister*: e. g. *Cod. Iust.* 9, 13, 1, 3: *Poenas autem quas praediximus... non tantum adversus raptos, sed etiam contra eos qui hos comitati in ipsa invasione et rapina fuerint constituimus. Ceteros autem omnes, qui conscii et ministri huiusmodi criminis reperti et convicti fuerint...*

59. Many laws show that the pagan and christian *ministri* were considered different from the *sacerdotes*: e. g. *CTh*, 16, 10, 14 for pagan *ministri*; 16, 2, 31 and 41 (...*si episcopus vel presbyter, diaconus et quicumque inferioris loci Christianae legis minister...*); 16, 6, 7 (...*eos, qui episcoporum seu clericorum vel ministrorum nomine usurpato...*) for catholic *ministri*; 16, 5, 12; 13; 24; 36, 2; 54, 1 (heretic *ministri*).

60. CIL, VI, 2145 already quoted in n. 54.

61. *CTh*, 16, 10, 14 (Caesario Praefecto Praetorio) in Constantinople on 7th December, 396: *Privilegia si qua concessa sunt antiquo iure sacerdotibus ministri praefectis hierofantis sacrorum sive quolibet alio nomine nuncupantur, penitus aboleantur nec gratulentur se privilegio esse munitos, quorum professio per legem cognoscitur esse damnata*. On the meaning of *ministri* who have to be considered “les servants en tout genre”: Delmaire, *Code*, p. 448, n. 1.

62. Symm., *Rel.* III, 13: *quod nomen accipiet ablato facultatum, quas nulla lex, nullus casus fecit caducas?*

63. For the fiscal policy of Valentinian I in regard of Christian priests, see R. Lizzi Testa, *Come e dove reclutare i chierici? I problemi del vescovo Agostino*, in F. E. Consolino (a c. di), *L'adorabile vescovo di Ippona. Atti del Conv. Int. di Studi* (Paola, 24-25 maggio 2000), Soveria Mannelli, 2001, pp. 183-216.

64. Vera, *Commento*, pp. 45-46.

fact have come from the higher classes and in particular from those senatorial families, whose members still belonged to the colleges. There is no evidence, however, that in the last two decades of the 4th century there was enough disaffection for official paganism among the Roman senators to have a serious impact on their traditional generosity in leaving bequests to the pagan colleges. We do not have many positive testimonies of the continuity of the aristocratic generosity towards the main priestly colleges of Rome during the last thirty years of the 4th century, but if we imagine the urban landscape at the same period, we would be surprised to find it almost totally empty of christian monuments. Christian Rome proper began to show itself towards the end of the Damasus' pontificate (366-384) and it was among the new *clarissimi* of the age of Constantine, not among the real nobles as the Symmachi, Anicii, Ceionii and similar, that we should look to find the benefactors of the Church of Rome. The real nobles seem to have contributed little or nothing to the Church, and the Church of Damasus didn't like very much – until the real end of his pontificate, when Jerome came to Rome and started to correspond with some noble virgins and widows of the city – to be linked by the aristocratic patronage⁶⁵.

Gratian's prohibition on any inheritance of lands left to the Vestals by will did not make it impossible for the ancient college of Vesta to survive; it simply reduced one important source of its financing. Symmachus himself calls the measure "unheard-of", but does not say that it was economically damaging. The text does not say that the fisc had to take over all the *fundi* belonging to the college, but that the emperor had forbidden the Vestals to receive any in future⁶⁶: he therefore prevented any further growth in their property, but did not threaten their existing patrimony, which remained intact and available for use by the college. As the Vestals played a role in at least ten annual public festivals, which were the most important of the town, threatening the growth of their property could be perceived by the pagans and presented by Symmachus as a dangerous attempt to sever the still very strong ties between the oldest religious system of Rome and the Empire. It was, nevertheless a wrong assumption to imagine, as Ambrose did, that with such prohibitions, Gratian "refused funds for ceremonies of Rome" or that he "turned off money to pay for sacrifice". Rather than describing what Gratian really did, Ambrose was telling the Emperor what effects he hoped the measures would have⁶⁷.

If this interpretation of Gratian's measure restricting inheritance by the Vestals is correct, the enactment which contained it cannot have been that referred to in *CTh*, 16, 10, 20 (Ravenna, 415), as is generally held. In the section which interests us⁶⁸, this decrees that "all places which the error of the ancients has assigned to cults, be attached to the *res privata*, according to what was decided by the divine Gratian, and that any produce generated, since the moment when it was forbidden to sustain the worst of superstition through public finance, should be claimed from those who have taken them over"⁶⁹. *Omnia etiam loca, quae sacris error veterum deputavit* has the meaning not of temples tout court, but of *fundi templorum*: the meaning of the word *deputavit*, used twice in the decree, specifically indicates not that which "belonged" to a temple, but what had been granted to its use by the emperor⁷⁰.

Actually, from the time of Alexander Severus, at least, all *loca sacra* – those whose finances were tied up with municipal funding – had been placed under the authority of the emperor. Just as the treasury restored to the cities only part of the revenues, making use of the rest for public works and other outlays judged useful by the imperial administration, the same will have done to the temples⁷¹. Ambrose could have been referring to the age of the tetrarchs, when he said that "for very many years all over the empire the rights of the temples have been abolished"⁷². The bishop is clearly talking of a legislation that affected different regions of the Roman Empire, apart from Rome. It is easy to understand it either from the following ironical reference to the river Nilus, or from a passage of the first letter to Valentinian II. In the first case, Ambrose laughs at Symmachus's statement that the river Nilus recently wanted avenge itself for what the Roman priests had recently lost, adding that strangely the same river didn't avenge itself for the heavy damages of its Egyptian priests. On the other hand, in the first letter to Valentinian II, the bishop remembered "But seeing that they (scil. these

Republic and Early Empire. London-New York 2006, pp. 22-36.

68. This law has been very well studied, since, it contains interesting references to the *sacerdotes paganae superstitionis* and to the *frediani* and *dendrophori*: see the adequate bibliography quoted by Delmaire, *Code*, pp. 460-462 and *Annexe IV*, pp. 492-494.

69. *CTh*, 16, 10, 20 = *Cod. Iust.* I, 11, 5: *popolo cartaginiensi*. In the Justinian Code the law is only partially conserved and, in the first chapter, the reference to the *constituta divi Gratiani* is eliminated: *Omnia loca, quae sacris error veterum deputabit, secundum divi Gratiani constituta nostrae rei iubemus sociari ita ut ex eo tempore, qui inhibitus est publicus sumptus superstitioni deterimae exhiberi, fructus ab incubatoribus exigantur. Quod autem ex eo iure ubicumque ad singulas quasque personas vel precedentium principum largitas vel nostra maiestas voluit pervenire, id in eorum patrimoniis aeterna firmitate perduret. Quod non tam per Africam quam per omnes regiones in nostro orbe positas custodiri decernimus*.

70. Delmaire, *Code*, p. 645.

71. On the municipal finances, C. Lepelley, *Témoignages épigraphiques sur le contrôle des finances municipales par les gouverneurs à partir du règne de Dioclétien*, in S. Panciera (a. c. di), *Il capitolo delle entrate nelle finanze municipali in Occidente ed Oriente. Actes de la X^e Rencontre franco-italienne sur l'épigraphie du monde romain* (Rome, 27-29 mai 1996), Rome, 1996 (CEFR, 256), pp. 235-247, spec. p. 240 ff.

72. Goddard, *The evolution*, p. 282 ff.

65. R. Lizzi Testa, *Senatori, popolo, papi. Il governo di Roma al tempo dei Valentiniani*, Bari, 2004 (Munera, 21), p. 99 ff.

66. Since Symmachus is very worried that the Gratian's measure could dissuade people from making a will in favour of the Vestals, we must believe that until then that habit was quite common and, over all, that the new law didn't forbid all kind of donations, but only land properties: Symm., *Rel.* III, 13: *coepit causae huius exemplum sollicitare morientes. Ergo Romanae religiones ad Romana iura non pertinent? ... 14: capiunt legata liberti, servis testamentorum iusta commoda non negantur: tantum nobiles virgines et fatalium sacrorum ministri excluduntur praesidiis hereditate quaesitis?*

67. For the involvement of the Vestals in the annual festivals, R. L. Wildfang, *Rome's Vestal Virgins. A Study of Rome's Vestal priestesses in the Late*

privileges) have been curtailed or forbidden over almost the whole world by several previous emperors, and that in Rome Gratian of august memory, the brother of your Clemency, withdrew them for the sake of the true faith, publishing rescripts to repeal them...⁷³.

Although historians tend to credit either Constantine or Constantius II or Gratian with a general law confiscating the *fundi templorum*⁷⁴, the African decree is decisive in confirming the annexation of the *fundi templorum* to the *res privata* in Africa only in 415. Since it wants to extend its own scope to every part of the western empire, it also confirms that no general law had decreed otherwise, up to that point⁷⁵. The *divi Gratiani constituta*, "the things decided by the divine Gratian" there cited, will also have been a rescript of limited scope, valid only in that region: the term *constituta* in a legal context can indicate not a general law but a local ruling⁷⁶. In this sense, Ambrose was not lying when he ascribed to Valentinian II the words "my brother Gratian took them (*iura templorum*) away"⁷⁷, but he was at least imprecise in relating that intervention against the roman temples. If Gratian had really abolished the rights of all temples in Rome, it becomes difficult to explain why Symmachus, whose only aim was to ask for the re-establishment of pagan rights, did not mention them and preferred to insist on the Vestals' rights to inherit landed properties. The reference to Gratian was, any way, eliminated from the Justinianic version, simply because to recalling an african decree, which was not relevant for the rest of Empire, sounded useless. Also puzzling is the same 'more than 30 years retroactive clause', which was imposed on those who had appropriated the income of the lands claimed by the treasury. It seems to imply awareness that the ruling had been ignored. This clause too was eliminated from the Justinianic version.

Therefore, the *constituta Gratiani* referred to by the African law cannot by any means be identified with the measure of Gratian discussed by Symmachus, with which apart from stopping the *stipendium* previously paid to the Vestals and cancelling their fiscal immunity, just their right to receive landed property by inheritance was denied. Despite the mention of *Vestales et ministri*, the measure relative to inherited *agri*

did not apply to all the priestly colleges of Rome. Apart from the fact that the *ministri* were not equivalent of *sacerdotes*, the subsequent sentence too confirms our opinion: the civic *sacra* to which the emperors – who in case of need were entitled *iustitiae sacerdotes* – should have had to restore the right of *privata successio*⁷⁸ were the ceremonies conducted by the Vestals. They were the *sacra* par excellence, defined as *fatalia*, because they had always been connected with the prosperity and survival of Rome⁷⁹. The Vestal Virgins carried out these rites assisted by *fatalium sacrorum ministri*. The latter were not mentioned in relation to the *stipendium* or the *munera*, because these privileges were evidently enjoyed by the Vestals alone. The *fatalium sacrorum ministri* are mentioned together with the Vestals in connection with the inherited *agri* because apparently they were involved in managing these lands, as members of the same college of Vestals and assistants to the Vestals in the celebration of the *sacra*⁸⁰.

Finally, not even the last of the *praerogativa detracta* – variously described as *victus modicus*, *alimenta*, *annona* – had been shared by the Vestals and the *ministri*, being rather a privilege exclusive to the Vestals. It is true that in its preamble, the *lex parentum* is said to have decreed a *victus modicus* to Vestals and *ministri deorum*⁸¹. In the generalized rhetoric called forth by the dreadful shortages, which had fallen on the provinces of the empire because of the abolition of this privilege, we hear of the *honor publicus* which had once nourished the *ministri religionum*⁸². Both the expressions, *ministri deorum*, *ministri religionum*, which are different from that used in relation to the lands obtained by inheritance (*Vestales et ministri*), could indicate the *sacerdotes*. But these passages deal with conditions applying in the past.

When we hear more precisely from whom this subsidy in kind (*annona*) had been stripped, to be reassigned to the dockworkers, then only the Vestals are evoked. The privilege is defined as *sacra castitatis alimenta* or even *annona communis sacris virginibus cum populo*⁸³. We are dealing here with a subsidy in the form of foodstuffs, which had been delivered

73. Ambr., *Ep.* 73 (Maur. 18), 19; cfr. *Ep.* 72 (Maur. 17), 5.

74. In the view of C. Lepelley, *Les cités de l'Afrique romaine au Bas Empire*, Paris, 1979, p. 61 ff., Constantine was the first who began the confiscation of all the *fundi templorum*. Constantius II was the main responsible according A. Chastagnol, *La législation sur les biens des villes au IV^e siècle à la lumière d'une inscription d'Ephèse*, in *Atti dell'Accademia Romanistica Costantiniana. VI Convegno internazionale*, Perugia 1986 = *Aspects de l'Antiquité tardive*, Rome 1994, pp. 143-170. Gratian, instead, issued the decisive law, according Delmaire, *Largesses*, pp. 641-645.

75. Following the suggestion of I. Tantillo, *La prima orazione di Giuliano a Costanzo. Introduzione, traduzione e commento*, Roma, 1997, p. 387 and n. 260, Goddard, *The evolution*, p. 284, convincingly shows that no one promulgated a general confiscation of the *fundi templorum*.

76. J.-P. Coriat, *Le Prince législateur. La technique législative des Sévères et les méthodes de création du droit impérial à la fin du Principat*, Rome, 1997 (BEF, 294), pp. 71-109.

77. Ambr., *De obit*. Val. 19.

78. Symm., *Rel.* III, 13: *oro vos, iustitiae sacerdotes, ut urbis vestrae sacris reddatur privata successio*.

79. The ceremonies the Vestals conducted were considered *sacra fatalia* because they were watched over the *fatiale pignus Imperii Romani* which was kept in the Vesta's temple: Liv. 26, 27, 14 (*Vestae aedem petitam et aeternos ignes et conditum in penetrali fatiale pignus imperii Romani*). About the ceremonies the Vestals were used to celebrate: M. Beard, *The Sexual Status of Vestal Virgins*, in *JRS*, 70, 1980, pp. 12-27; J. Scheid, *Indispensabili straniere*, in P. Schmitt Pantel (a c. di), *Storia delle donne. L'Antichità*, Roma-Bari, 1990, pp. 424-464, spec. 429-432; R. L. Wildfang, *The Vestal Virgins Ritual Function in Roman Religion*, in *Classica Med.*, 50, 1999, p. 227 ff.; B. Scardigli, *Vestali integrate nella società romana*, in *Stud. Hist. Ant.*, 21, 2003, pp. 97-104.

80. Symm., *Rel.* III, 14: *tantum nobiles Virgines et fatalium sacrorum ministri excluduntur praesidiis ereditate?*

81. Symm., *Rel.* III, 15: *honoraverat lex parentum Vestales virgines ac ministros deorum victu modico iustisque privilegiis*.

82. Symm., *Rel.* III, 17: *Quid tale provinciae pertulerunt cum religionum ministros honor publicus pasceret?*

83. Symm., *Rel.* III, 15 and 17.

to the Vestals from the *arca frumentaria*⁸⁴, and which in all ancient communities had been freely given to those responsible for divine cults which were believed to be particularly beneficial for the community. Examples include the Levites, supported by the tithes taken from the lands of each tribe; the clergymen of the Christian church of the first centuries, before Constantine in 313 borrowed ideas from Cyprian to extend fiscal privileges and subsidies in cash to them, which after 325 were paid by their cities, thus providing an equivalent to the above⁸⁵; and Christian virgins and widows, when these groups became sufficiently institutionalized that their prayers too could serve the common good⁸⁶.

Thus, since the payments in kind also, like the *stipendium* and the exemption from *munera curalia*, were personal privileges of the sacred Virgins of Vesta, we must conclude that the tears that the divine Valentinian was looking at from high in heaven were specifically the tears of these 'priestesses', and not of priests in general as translations usually have it⁸⁷.

The measures of Gratian, therefore, did not apply to all the priestly colleges, still less all the temples, but only to some specific privileges of the Vestals. Nor again were they issued in a general law applicable all over the empire; since Ambrose notes that the privileges of the pagans had been abolished in Rome by means of rescripts⁸⁸, we must believe that rescripts were used as the legal basis for intervening in the life of the college of Vesta and limiting its privileges.

Even if they were limited in their scope and effectiveness, and Gratian was far from embarking on a radical policy of eliminating paganism in 382, as he has been generally credited with, the measures that were taken against one of the

most ancient priestly colleges could certainly appear severe: in conjunction with a gesture of such high symbolic value as the removal of the Altar of Victory from the senate-house, they in fact caused an outcry among the pagans, while any return to the *status quo ante* was anxiously opposed by the Christians. We must now ask why.

It is useful to return to Ambrose's second letter to Valentinian II, even if in the definition of Gratian's measures there is the same tendency there that we have already noted in the first letter, that is to speak in general terms. At the beginning of the text, in an effort to sum up the complex contents of *Relatio* III, Ambrose claims that Symmachus had put forward three arguments: that Rome demanded her cults back, that remuneration should be given "to her priests and to the Vestal Virgins"; that the refusal to give such remuneration "to the priests" had been the cause of a food shortage⁸⁹. In comparison with Symmachus, who described the first of the *Vestaliū virginū praerogativa* as a *stipendium castitatis*, Ambrose seems to be deliberately generalizing.

Since Symmachus had every reason to emphasize to the full the scope of these measures, to show how unprecedented they were, it is hard to understand why – if the *stipendium* had been refused to all the pagan priests – he should have spoken only of the Vestals. However devoted he might have been personally to Vesta, he was himself a *pontifex*. If the privileges of his own college had also been removed, he would not have hesitated to say so clearly. We might understand that use of "sacerdotes", as they are evoked in the third argument quoted by Ambrose, in the feminine, as "priestesses" rather than "priests". Only in this way could we restore that point-by-point correspondence with Symmachus that Ambrose had said he wished to follow in his text. But, probably, in this passage Ambrose deliberately intended "priests". As for the inversion, this is central to the purpose which animates Ambrose's second letter. Here, as we shall see in a moment, the bishop seized the opportunity provided by Symmachus' appeal to ask Valentinian II to revise the legislation on priests of curial origin.

On fiscal immunity, the terms coincide: "Let the Vestals, he says, have their immunities⁹⁰". In this case too, Symmachus is more specific, in speaking of *vacare muneribus*, but at least the subjects from whom the privilege has been withdrawn are the same. The contents of these immunities are specified by Ambrose when he claims that the State ought more reasonably to have granted them to Christian ascetics. Not accidentally, he defines them as *subsidiā largitatum*. He is in fact dealing, probably, with immunity from *munera curalia*, which for Christian women of middle class could have amounted to a genuinely significant economic privilege, while it had a purely symbolic value for the aristocratic Vestals, who were not subject to

84. Symm., *Rel.* XXXVII, 2.

85. R. Lizzi Testa, *The Bishop 'Vir Venerabilis': Fiscal Privileges and 'Status' Definition in late Antiquity*, in *The Thirteenth International Conference on patristic Studies* (Oxford, 16-21 August 1999), Oxford, 2000, pp. 125-144.

86. W. Liebeschuetz, *The Rise of the Bishop in the Christian Roman Empire and the Successor Kingdoms*, in *Electrum*, 1, 1997, pp. 113-125, spec. 123 ff.; E. Wipszycka, *La sovvenzione costantiniana in favore del clero*, in *Ren. Mor. Acc. Lincei*, s. 9, 8, 1997, pp. 483-498, and, for different perspectives, R. Lizzi Testa, *Privilegi economici e definizione di status: il caso del vescovo tardoantico*, in *Ren. Mor. Acc. Lincei*, s. 9, 11, 2000, pp. 55-103, specially pp. 71-75.

87. Symm., *Rel.* III, 20: *spectat senior ille divus ex arce siderea lacrimas sacerdotum* is usually translated like by Liebeschuetz, *Ambrose*, p. 77: "From his citadel in the sky, the senior deified ruler looks down on the tears of the priests...", or, in Italian by D. Vera, *Commento*, p. 394: "Dall'alto dell'arce siderea quel divino vegliardo contempla le lacrime dei sacerdoti..."

88. Ambr., *Ep.* 72 (Maur. 17), 5: *Sed haec si iam sublata non essent, auferenda tuo imperio comprobarem. At cum per totum fere orbem a pluribus retro principibus inhibita interdictaque sint, Romae autem a fratre clementiae tuae, augustae memoriae Gratiano, fidei verae ratione sublata sint (scilicet haec!) et datis antiquata rescriptis, ne, quaeso, vel fideliter statuta convellas vel fraterna praecepta rescindas*. We must notice that the condition of pagan priests around the world is distinguished from the situation in Rome, so that the indication of *Ep.* 73 (Maur. 18), 19: *Et certe ante plurimos annos templorum iura toto orbe sublata sunt* has to be understood in the same way, that is "in the rest of the Empire, apart from Rome". An other observation from this text, is that not one or two emperors were involved in the abolishment of the pagan privileges (as far as is possible to define these privileges from the ambrosian *haec*), but many of them: in the same direction, already Goddard, *The evolution*, p. 284.

89. Ambr., *Ep.* 73 (Maur. 18), 3.

90. Ambr., *Ep.* 73 (Maur. 18), 11: *habeant, inquit, Vestales virgines immunitatem suam*.

financial burdens of this sort either by birth or by land, since they were not able to inherit within their family until they remained Vestals, being released from *patria potestas*⁹¹.

Inside this imaginary parallel which Ambrose creates between the Christian priests, penalized by recent regulations, and the enormous privileges which would be newly guaranteed to the pagan priestesses if Gratian's measures were abrogated, there also emerges a certain discrepancy in the bishop's handling of the *annonae* mentioned by Symmachus. In the first place, again, the first word in the phrase *sacerdotibus quoque suis et ministris queruntur alimenta publica non praeberi* would have to be imagined as feminine to correspond to Symmachus' *sacrae castitatis alimenta* and *virginibus sacris annona*⁹². Apart from this, it is odd that Ambrose should bracket Symmachus' request that the *annonae* be restored to the Vestals with the recent legal prohibition on Christian priests from receiving inheritances from individuals and from obtaining exemptions from *munera* if they were of curial origin. The two sets of privileges simply do not match one another⁹³. Ambrose gives an impression of a certain confusion, as the text appears to be overcrowded with claims on behalf of Christian virgins and clerics.

As for the right of inheritance, however, Ambrose's declaration clarifies the text of the *Relatio* nicely: "Nobody has prevented gifts from being given to the shrines, and legacies to the soothsayers; only gifts of landed property have been removed... Their landed property then has been taken away, not their rights⁹⁴". In this case, the subject of the prohibition is not specified, so that Ambrose's readers would have been able to infer that the measure was extended in general to all the traditional priests. Shortly beforehand, however, in emphasizing the contrast between the pagan and Christian cases, he had stated that: "That which a Christian widow has bequeathed to the priests of a pagan temple is valid, her legacy to the ministers of God is invalid"⁹⁵. The bishop himself, then, provides confirmation, albeit indirectly, that only the Vestals had lost the right to inherit land; all the other priests continued to enjoy it.

Just like the first, Ambrose's second letter is not very useful to those who want to know the precise legal terms and economic implications of Gratian's measures. These are indicated not in specific terms but, as in the first letter, by periphrasis or in generalizations, and their contents are made still less clear by the comparisons drawn with restrictions

suffered by Christian priests⁹⁶. Indirectly, however, the letter does offer the key to understanding the motives which could have prompted Gratian to issue them.

It has been recently suggested that because these measures were not contained in a general law but in a rescript applying only to Rome, they had been prompted by the economic hardships which followed the shortages which had affected Rome and southern Italy [beginning in 382]⁹⁷. In actual fact Symmachus claims that this natural disaster was the consequence, not the cause, of the measures; at a distance of only a few months from the events, and in a plea addressed to the imperial court, it is difficult to think that Symmachus could have so completely reversed cause and effect, and used this reversal as a basis for arguing for the potency of the gods' anger against men who failed to respect their cults⁹⁸.

A slightly different line of inquiry, however, would follow Ambrose's hint and take as its starting-point the fiscal restrictions imposed on Christian priests at almost the same time. A legislative text issued in the early years of the papacy of Damasus clarifies the general context and allow us to go deeper. In 370, a decree was sent by Valentinian I *ad Damasum episcopum urbis Romae*, to prohibit ecclesiastics, former ecclesiastics, and those who professed to follow an ascetic life from frequenting the houses of widows and orphaned heiresses, on pain of being reported to the authorities by the relatives of these women. Above all, they were forbidden to receive any property by gift or testament from these same women. Every gift, even if it was made through an intermediary, was to be seized by the fisc. Clerics were only able to receive assets from these women or to inherit their property if they were supported by civil law or by an edict, or if they were close relations of the women⁹⁹.

In the decree with which Gratian decided in 382 to remove the Altar of Victory and to cancel the privileges of the Vestals, which is strangely absent from the Theodosian Code, the part concerning the Vestals' right to inherit must have been expressed in terms similar to those used in the regulation issued to Damasus. In itself, this latter did not aim to remove the inheritance rights of the Christian community as a whole,

91. J. F. Gardner, *Women in Roman Law and Society*, Beckenham, 1986, pp. 23-25.

92. Ambr., *Ep.* 73 (Maur. 18), 13.

93. Ambr., *Ep.* 73 (Maur. 18), 12: *Ponamus tamen subsidia largitatum conferenda virginibus: quae Christianis munera redundabunt?*; 13: *Sacerdotibus quoque suis et ministris queruntur alimenta publica non praeberi. Quantum hinc verborum tumultus increpuit! At contra nobis etiam privatae successionis emolumenta recentibus legibus denegantur et nemo conqueritur; non enim putamus iniuriam quia dispendium non dolemus...*

94. Ambr., *Ep.* 73 (Maur. 18), 16.

95. Ambr., *Ep.* 73 (Maur. 18), 14.

96. We must notice that to indicate the legal prohibition on the Vestals from receiving inheritances, Ambrose uses the terms *praedia sublata sunt* ("Their landed property then has been taken away"). From expressions like these it is easy to believe in a general confiscation of all the lands of that college, while from Symmachus' text it is clear that the law forbade the pagan Virgins from receiving properties in the future, so that the lands already in property of the college remained part of its patrimony.

97. Goddard, *The evolution*, p. 285, n. 34.

98. It is possible to know how many literary references Symmachus and Ambrose used for the piece on the recent shortages from I. Gualandri, *La risposta di Ambrogio a Simmaco: destinatari pagani e destinatari cristiani*, in F. E. Consolino (a. c. di), *Pagani e cristiani da Giuliano l'Apostata al sacco di Roma. Atti del Conv. Int. di Studi (Arcavacata di Rende, 12-13 nov. 1993)*, Catanzaro, 1995, pp. 241-256.

99. *CTh.* 16, 2, 20 (July 30th, 370). On this law and the subsequent *CTh.* 16, 2, 22 (1st Dec. 372), see recently R. Lizzi Testa, *Clerical hierarchy and Imperial Legislation in Late Antiquity: the reformed reformers*, in C. M. Bellitto, L. I. Hamilton, *Reforming the Church before Modernity*, Aldershot, 2005, pp. 87-103, specially p. 97 ff.

as much as to strike at the custom of legacies, which were often obtained by devious or fraudulent means and which damaged the interests of legitimate heirs. So, what worried the legislator were the uncontrolled developments which the phenomenon of aristocratic donations had undergone in the previous decade. The law, in fact, did not paralyse the collection of gifts, but imposed, so to speak, transparency¹⁰⁰.

I would like to suggest that similar motivations prompted Gratian to issue the rescript which limited the inheritance rights of the Vestals. Resistance by heirs to carrying out testamentary wishes, even when this involved building a funerary monument for which sufficient money had been left, is documented in the Digest. We thus know that in the age of Papinian, at the end of the 3rd century, the power of forcing the heirs to respect the last wishes of their relatives was delegated to the authority of the *pontifices*¹⁰¹. It is not improbable, therefore, that similar resistance was forthcoming when rich legacies of property were left to a pagan college like that of the Vestals.

The analogy should not push us so far as to think that Gratian's measure was solicited by the other priestly colleges; the spirit of competition, however, would ensure that their members were not too eager to cloak in silence any discontent among relatives and friends in the face of the concentration of donations in favour of the Vestal virgins. Against a background of progressive Christianization even of the upper classes, the Vestals clearly remained one of the colleges most favoured with benefactions, whether because of the antiquity of their institution or because of the sacral role of the Virgins, or because the emperor himself, as *Pontifex Maximus*, was their head. The fact that it was the Vestals who remained the favourite target of Christian preachers in the 4th century, from Athanasius to Ambrose, is a further proof of the flourishing condition of the College, and in its turn a sign of its ability to attract devotion, and donations, from the 'Last Pagans' of Rome¹⁰².

In such a perspective, Gratian's measures, far from proving that official paganism was dying, appear on the contrary as testimony to an attempt to check the economic effects, which excessive devotion to the cult of Vesta was still producing in terms of legacies and donations of large landed estates. Young heirs, perhaps professing the Christian faith, succeeded in making the young emperor Gratian aware of this, in order that the phenomenon of too conspicuous bequests in favour of the Vestals should be checked, just as had been done by his father to excessive legacies to Christian clergymen. None of the members of the greater priestly colleges, who at first might even have been able to regard with some sympathy the complaints of the heirs defrauded in favour of the Vestals, could have imagined that such discontent, once it had reached the highly Christian court of Milan, would provoke a series of

measures like those of 382; the altar of Victory, *stipendium*, *immunitas*, the *annonae* of the Vestals, the inheritance rights of *Vestales et ministri*.

We can be sure that it was neither Damasus, nor Ambrose who amplified those complaints, urging the Emperor to enact such provisions¹⁰³. Since these last, even if they were presented by Symmachus and Ambrose as an attack against the pagans and the paganism, were in fact a specific response to a specific grievance, we must suppose that it had to be a secular official who was entrusted with submitting those complaints to the Emperor. In 382, the Urban Prefect of Rome was Anicius Auchenius Bassus¹⁰⁴, just the right person to profit from such complaints in order to damage some aristocratic families to whom he was politically hostile, and who were still involved in the life of the priestly colleges. He was very intimate with the most rigorist of the Christians, like the Novatians and Luciferians and not less with the Ursinians, since in 382 he refused to expel from Rome the Luciferian bishop Efesus, refusing to accept pope Damasus' judgement that he was heretic¹⁰⁵. Anti-Damasan tendencies are apparent in his actions even before this. He was already very powerful in 379 as *proconsul Campaniae vice sacra iudicans*, that is, with the power of a proconsul and not merely of a *consularis*, as was usually the case subsequently. Actually he was a member of the dominant Christian family Anicii and Probi, already then so hostile to Damasus to permit bishops like Florentius of Pozzuoli and similar keeping their seats, although Damasus had passed sentence on them years previously¹⁰⁶. He was no less opposed to those pagan families (of Symmachus and Praetextatus in particular), who had indirectly supported Damasus against Ursinus and had been able to dominate the political scene in Rome during the first five years of Valentinian I's reign.

Anicius Auchenius Bassus was, therefore, far the most likely author of the proposal to Gratian that he should order the removal of the Altar of Victory and implement the other provisions against the Vestals, presenting them as measures which could earn the Emperor the Senate's support, by responding to the complaints of rich heirs. In short, then, Gratian's measure was a typical imperial response to a specific grievance, but was amplified as a result of the specific circumstances in which it was formulated.

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100. R. Lizzi Testa, *Senatori, popolo, papi*, cit. (n. 65), pp. 111-113.

101. Dig. 5, 3, 50, 1 (*Papinianus libro sexto quaestionum*).

102. Some examples of the strong attacks against the Vestals in the christian production of the 4th century, in R. Lizzi, *Vergini di Dio-vergini di Vesta. Il sesso negato e la sacralità*, in S. Pricoco (a. c. di), *L'Eros difficile. Amore e sessualità nell'antico cristianesimo*, Catanzaro, 1998, pp. 89-132, specially p. 93 ff.

103. Here we must trust Ambrose, who has been wrongly credited with a strong influence on Gratian, while he was not even consulted about the senatorial embassy and explicitly disclaims any responsibility: Ambr., *Ep. Extra coll.* 10 (Maur. 57), 2. About the subject, P. Nautin, *Les premières relations avec l'empereur Gratien*, in Y.-M. Duval (ed.), *Ambroise de Milan*, Paris, 1974, pp. 229-44; but finally N. McLynn, *Ambrose of Milan*, cit. (n. 14), pp. 98-106; T. D. Barnes, *Ambrose and Gratian*, in *AntTard*, 7, 1999, pp. 165-174.

104. PLRE, I, s. v. Anicius Auchenius Bassus 11, pp. 52-154.

105. *Coll. Avell.* 2, 85, 17-18: *Bassus sciebat in Lucifero nullam hereseos fuisse pravitatem...*; *ibid.*, 20: *reppulit accusationem Damasi negans se facturum, ut homines catholicos et integrae fidei viros insequeretur*.

106. R. Lizzi Testa, *Senatori, popolo, papi*, cit. (n. 65), pp. 173-174; 190-195; 320-321.